


**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ERIC PHILLIPS, Plaintiff, v. DAVID SCHIFINO, STEPHEN HOVE and FIREHOUSE GALLERY, LLC, a Florida limited liability company, Defendants, GnB, LLC, a Delaware limited liability company, Nominal Defendant.	C.A. No. 08-225(UNA) 
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STIPULATION

IT IS HEREBY STIPULATED, by and between plaintiff Eric Phillips and defendants Stephen Hove and Firehouse Gallery, LLC, that:

1. Subject to the approval of this Court, the terms set forth in the Agreed Order on Debtor's Verified Emergency Motion for Preliminary Injunction or, Alternatively, for Temporary Restraining Order, entered in United States Bankruptcy Court for the Middle District of Florida, Case No. 8:08-bk-4949 (PMG), Adversary Proceeding No. 08-179, (the "Agreed Order") are hereby incorporated in the above-captioned action as if entered therein. A copy of the Agreed Order is attached hereto as Exhibit A.

FILED
CLERK, U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2008 APR 28 PM 3:51


CROSS & SIMON, LLC

Michael J. Joyce (No. 4563)
913 North Market Street, 11th Floor
P.O. Box 1380
Wilmington, Delaware 19899
*Attorneys for Defendants Firehouse
Gallery, LLC and Stephen Hove*

DATE: April 28, 2008

PROCTOR HEYMAN, LLP

/s/ Dominick T. Gattuso
Dominick T. Gattuso (No. 3630)
1116 West Street
Wilmington, Delaware 19801
Attorneys for Plaintiff Eric Phillips

SO ORDERED this ____ day of April, 2008.

United States District Court Judge

Exhibit A

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UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
Tampa Division

In re:

Chapter 11

GnB, LLC,

Case No. 8:08-bk-4949-PMG

Debtor.

GnB, LLC,

Plaintiff,

vs.

Adv. No. 08-179

Eric M. Phillips,

Defendant.

**AGREED ORDER ON DEBTOR'S VERIFIED
EMERGENCY MOTION FOR PRELIMINARY INJUNCTION
OR, ALTERNATIVELY, FOR TEMPORARY RESTRAINING ORDER**

THIS CAUSE came on for hearing on April 24, 2008, at 3:30 p.m. (the "Hearing"), upon the Debtor's Verified Emergency Motion for Preliminary Injunction or, Alternatively, for Temporary Restraining Order [Doc. No. 4] (the "Motion"). The Court having considered the Motion, having been advised that the parties, GnB, LLC (the "Debtor" or the "Plaintiff") and Eric Phillips, ("Phillips" or the "Defendant"), are in

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agreement as to the relief set forth hereinbelow, and being otherwise duly advised in the premises, it is:

ORDERED THAT:

1. For a period of ten (10) days from the entry of this Order, or through the date of the continued hearing on the Motion, whichever comes later, the parties shall take no further action in the action currently pending in the Court of Chancery of the State of Delaware, assigned Case No. 3644-VCL (the "Delaware Action"), nor in the removal proceeding of the Delaware Action currently pending in the United States District Court, District of Delaware, assigned Case No. 08-225 (the "Removal Proceedings"). The Delaware Action and the Removal Proceedings are stayed, as are all deadlines in both actions, including any deadlines to file responsive pleadings or other papers, pending further order of this Court. A copy of this Order shall be filed in the Delaware Action and the Removal Proceedings.

2. Phillips shall immediately, and in any event by the day following the date of this Hearing, take any and all necessary actions to redirect the "Candles.com" domain name and the traffic related to same to the Debtor's website as it existed as of the Petition Date.

3. For a period of ten (10) days from the entry of this Order, or through the date of the continued hearing on the Motion, whichever comes later, Phillips shall take no further action to interfere with, or exercise control over, property allegedly owned by the Debtor, including its rights under the License and the Agreement (as defined in the Motion) and its domain names, and including, but not limited to, any acts to divert,

misdirect or redirect traffic to other Internet sites from Candles.com or any of the following domain names: wicksend.com, candleholders.com, votive.com, votives.com, mycandles.com, religiouscandles.com, vigilcandles.com, candlelightvigil.com, wholesalecandles.com, mycandleparties.com, beeswaxtapers.com, photocandles.com, soypillars.com, soyvotives.com, engravedsoaps.com engravedsoap.com, and candle-museum.com (together, the "Wicksend Websites"), or to cancel or fail to renew the underlying registration contracts, except that Phillips shall not be precluded from taking actions in this Court related to such property.

4. The Debtor shall maintain adequate records of all sales made through the "Candles.com" domain name. The proceeds of sales made through the "Candles.com" domain name shall be segregated pending further order of this Court, except that the Debtor is authorized to use any such proceeds for payment of ordinary course operating expenses. The Debtor shall maintain detailed records as to the use of the segregated funds for payment of ordinary course operating expenses, which records shall be made available to the Defendant upon request.

5. The Defendant shall maintain adequate and detailed records of all sales made through the Wicksend Websites from the date of this Order, which records shall be made available to the Plaintiff upon request. As to all funds, collections, or proceeds in Defendant's possession or control attributable to such sales, as well as any and all proceeds received on or after the Petition Date, the Defendant shall segregate and retain the proceeds of all such sales pending further order of the Court.

6. This Order is without prejudice to, and all parties expressly reserve, any

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and all claims, defenses, or arguments as to the merits of the Motion and the Complaint.

7. A continued hearing on the Motion is hereby scheduled for May 6,
2008, at 1:30 p.m.

DATED: April 25, 2008.

BY THE COURT

Paul M. Glenn
PAUL M. GLENN
Chief United States Bankruptcy Judge

Copies to:

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CERTIFICATE OF SERVICE

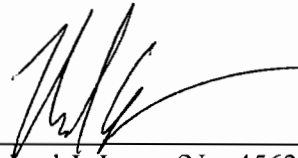
I, Michael J. Joyce, hereby certify that on April 28, 2008, I caused to be served a copy of the foregoing Stipulation on the following counsel, in the manner indicated:

VIA HAND DELIVERY

Dominick T. Gattuso, Esquire
Kurt M. Heyman, Esquire
Proctor Heyman LLP
1116 West Street
Wilmington, DE 19801

**VIA FACSIMILE
AND FIRST CLASS MAIL**

Charles A Postler, Esquire
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A handwritten signature in black ink, appearing to read 'MJ Joyce', is written over a horizontal line.

Michael J. Joyce (No. 4563)